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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Criminal No. CR 07-0278 MAG
Plaintiff,)
v.)
DAVID INIGUEZ,)
Defendant.)

[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM JULY 31, 2007 TO OCTOBER
30, 2007

The parties appeared before the Honorable Elizabeth D. Laporte on July 31, 2007.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §

3161(b), from July 31, 2007 to October 30, 2007, in light of the need for the defendant to obtain a determination in other administrative proceedings and in light of the need for defendant's continuity of counsel. Failure to grant the requested continuance would unreasonably deny defense counsel and government counsel reasonable time necessary for effective preparation,

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taking into account the exercise of due diligence and the defendant's wish to obtain resolution on administrative proceedings with the Social Security Administration and for defendant's continuity of counsel.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from July 31, 2007, to October 30, 2007 outweigh the best interest of the public and the defendant in a speedy trial. *Id.* § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from July 31, 2007 to October 30, 2007 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: 8/6/07

/s/

JOSH COHEN
Counsel for David Iniguez

DATED: 8/5/07

/s/

WENDY THOMAS
Special Assistant U.S. Attorney

IT IS SO ORDERED.

DATED: August 13, 2007

